

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

| | | |
|-------------------|---|-------------------------------|
| _____ |) | |
| WORKSCAPE, INC., |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 05-11481-MEL |
| |) | |
| WORKSTREAM, INC., |) | |
| Defendant. |) | |
| _____ |) | |

**JOINT MOTION FOR AN EXTENSION TO RESPOND
TO DEFENDANT'S MOTION TO DISMISS**

Plaintiff Workscape, Inc. and Defendant Workstream, Inc. hereby request an extension until December 5, 2005, of Plaintiff's time in which to respond to the Motion to Dismiss filed by Defendant.

In support thereof, Workscape states as follows:

1. Workstream filed a Motion to Dismiss on September 13, 2005.
2. Thereafter, the parties engaged in settlement discussions. To that end, Workscape sought and was granted an extension of time until November 14, 2005 to respond to Workstream's Motion to Dismiss so that the parties could continue settlement discussions.
3. The parties have since reached a settlement in this matter. To that end, the parties are executing a settlement agreement and finalizing the details thereof.
4. The parties request that the extension be granted so as to permit them additional time to finalize the details of the settlement including, among other things, the performance of certain items on December 1, 2005.

WHEREFORE, the parties respectfully request that the Court grant this motion for an extension and enter the Order submitted herewith in accordance with their request.

WORKSCAPE, INC.

By its attorneys,

/s/ David E. Lurie

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WORKSTREAM, INC.

By its attorneys,

/s/ Christopher W. Sanzone

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(781) 239-9989

Dated: November 15, 2005

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| WORKSCAPE, INC., |) | |
| Plaintiff, |) | |
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| v. |) | Civil Action No. 05-11481-MEL |
| |) | |
| WORKSTREAM, INC., |) | |
| Defendant. |) | |
| _____ |) | |

ORDER REGARDING THE PARTIES' ASSENTED TO MOTION

After considering the parties joint motion, the Court hereby ORDERS that:

1. Workscape, Inc. has until December 5, 2005, in which to respond to Workstream's motion pursuant to F.R.C.P. 12.

So Ordered: _____
Lasker, U.S.D.J.

Date: _____, 2005